

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HEAD SPORT GMBH

Plaintiff,

-against-

UP TOWN SPORT INC., et al.,

Defendants.

23-CV-10172 (LAK) (RFT)

**ORDER**

**ROBYN F. TARNOFSKY, United States Magistrate Judge:**

By Order of Reference dated December 13, 2023 (ECF 15), Judge Lewis A. Kaplan referred this case to Magistrate Judge Robert W. Lehrburger for general pretrial purposes and any dispositive motions. On December 14, 2023, that referral was reassigned to me.

On November 20, 2023, Plaintiff filed its Complaint alleging breach of contract under New York law, and trademark and copyright infringement. (See ECF 1.) Defendant Up Town Sport Inc. was served on December 5, 2023. (ECF 12.) Defendant Jenny Sprizzo was served on December 11, 2023. (ECF 16.)

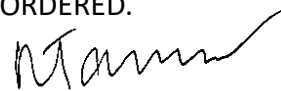
Up Town Sport, Inc. was required to answer or move to dismiss by December 26, 2023; Jenny Sprizzo was required to answer or move to dismiss by January 2, 2024. (See ECF 12, 16.) Neither Defendant has done so.

The time for Defendants to respond to the Complaint is extended, nunc pro tunc, to **5:00 PM on January 25, 2024**. Failure to respond to the Complaint by this date could result in a report and recommendation to Judge Kaplan that a default judgment be entered against Defendants.

Plaintiff is directed to serve a copy of this Order on Defendants and to file proof of such service on the docket by **January 12, 2024**.

DATED: January 3, 2024  
New York, NY

SO ORDERED.

A handwritten signature in black ink, appearing to read 'RTarnofsky', written over a horizontal line.

**ROBYN F. TARNOFSKY**  
United States Magistrate Judge